

**MINUTES**  
**REGULAR CITY COUNCIL MEETING**  
**RONALD C. BOWMAN CITY COUNCIL CHAMBERS**  
**447 North Main Street**  
**Boerne, TX 78006**  
**JULY 9, 2024 – 6:00 PM**

Minutes of the Regular Called City Council Meeting Of July 9, 2024.

**Present:** 6 - Mayor Frank Ritchie, Mayor Pro Tem Ty Wolosin, Council Member Sharon D. Wright, Council Member Quinten Scott, Council Member Bret A. Bunker, and Council Member Joseph Macaluso

**Staff Present:** Ben Thatcher, Sarah Buckelew, Lori Carroll, Nathan Crane, Susan Finch, Karen Kochheiser, Lissette Jimenez, Cody Lackey, Mike Mann, Mike Raute, Cheryl Rogers, Chris Shadrock, Kristy Stark, Chastity Valdes, Danny Zincke, and attorney Gerald Pruitt.

**Recognized / Registered Guests:** John Woolard, Nelia McNeal, and Katherine Nini

**1. CALL TO ORDER – 6:00 PM**

Mayor Ritchie called the City Council to order at 6:00 p.m.

Mayor Ritchie asked Father David Chacko of St. Peter the Apostle Catholic Church to provide the Invocation.

Mayor Ritchie led the Pledge of Allegiance to the United States Flag and to the Texas Flag.

**2. CONFLICTS OF INTEREST**

No conflicts were declared.

**3. PUBLIC COMMENTS:**

No comments were received.

**4. CONSENT AGENDA:**

MAYOR PRO TEM WOLOSIN ASKED THAT CONSENT AGENDA ITEM B BE REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION. THERE WERE NO OBJECTIONS BY THE COUNCIL.

A MOTION WAS MADE BY MAYOR PRO TEM WOLOSIN, SECONDED BY COUNCIL MEMBER WRIGHT, TO APPROVE CONSENT AGENDA ITEM A AS PRESENTED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

**Yeah:** 5 - Mayor Pro Tem Wolosin, Council Member Wright, Council Member Scott, Council Member Bunker, and Council Member Macaluso

**A. CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CALLED CITY COUNCIL MEETING OF JUNE 25, 2024.**

THE MINUTES WERE APPROVED.

**B. CONSIDER RESOLUTION NO. 2024-R50; A RESOLUTION OF THE CITY OF BOERNE, TEXAS ESTABLISHING A CHARTER REVIEW COMMISSION AND APPOINTING MEMBERS TO SERVE ON THE COMMISSION AND ISSUING THE COMMISSION’S CHARGE.**

Mayor Pro Tem Wolosin asked that council consider waiting until the May uniform election date for the Charter Review Amendments to give more time for the review.

A MOTION WAS MADE BY MAYOR PRO TEM WOLOSIN, SECONDED BY COUNCIL MEMBER SCOTT, TO DENY RESOLUTION NO. 2024-R50; A RESOLUTION OF THE CITY OF BOERNE, TEXAS ESTABLISHING A CHARTER REVIEW COMMISSION AND APPOINTING MEMBERS TO SERVE ON THE COMMISSION AND ISSUING THE COMMISSION’S CHARGE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Mayor Pro Tem Wolosin, Council Member Wright, Council Member Scott, Council Member Bunker, and Council Member Macaluso

**REGULAR AGENDA:**

**5. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:**

**A. PRESENTATION FROM KENDALL APPRAISAL DISTRICT’S CHIEF APPRAISER NELIA MCNEAL AND JOHN WOOLARD.**

Mayor Ritchie called on Sarah Buckelew, Finance Director. Director Buckelew introduced Nelia McNeal, Chief Appraiser and John Woolard, the city appointment to the Kendall Appraisal District. Mr. Woolard provided a broad overview of appraisal district. Chief Appraiser McNeal spoke regarding the appraisal district's budget. She stated that the certified values will be presented to the entities by the required date of July 25th.

**B. PRESENTATION OF CAPITAL IMPROVEMENT PLAN.**

Mayor Ritchie called on Danny Zincke, Assistant City Manager. ACM Zincke spoke regarding the budget and tax rate timeline. He discussed the purpose of the Capital Improvement Plan and funding sources. Assistant City Manager Stark spoke regarding the governmental accounts: breakdown of funding to include available funding to date and proposed funding for 2025. She reviewed the ongoing bond fund capital projects and provided the timeline for Fire Station #2 as well as an update on Kinder Park Restroom project, the Northside Community Park project, the Waterworks Terrace Park project, the Plant Street public parking lot, Adler Road reconstruction and Cascade Caverns Roadway Project which was approved by the Metropolitan Planning Organization. ACM Stark stated that the Johns Road roundabout project will be coordinated with the school schedule. The street reconstruction for West Blanco, Parkway Drive, and West Kronkosky will be bid together. Mike Mann, Utilities Director will discuss utilities at the July 23 meeting.

**C. DISCUSSION AND DIRECTION REGARDING 2024 UNIFIED DEVELOPMENT CODE AMENDMENTS RELATING TO PLAT**

**EXEMPTIONS, MULTI-FAMILY USES, AND FREEWAY PYLON SIGNS.**

Mayor Ritchie called on Nathan Crane, Planning Director. Director Crane spoke regarding proposed UDC amendments, discussing proposed plat exemptions, multifamily in commercial districts, and freeway pylon signs and asking direction from the council members.

It was the consensus of the council members to include for plat exemptions Option 1: Served by on-site sewage facilities and a water well and Option 2: Are not within a military buffer as defined by State code. For Multi-family in a commercial zone: Not to exceed 10 units per acre lot and no multi-family along the IH-10 corridor. Regarding Pylon Signs: no more than 40' in height at nodes, maximum of 20' between nodes. No pole signs permitted in the future at suggested locations as presented.

**D. CONSIDER A ONE-TIME READING OF ORDINANCE NO. 2024-11; AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER SECTION 3.11.A. (As described below)**

A MOTION WAS MADE BY COUNCIL MEMBER SCOTT, SECONDED BY COUNCIL MEMBER MACALUSO, TO APPROVE A ONE-TIME READING OF ORDINANCE NO. 2024-11; AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER SECTION 3.11.A. (AS DESCRIBED BELOW). THE MOTION CARRIED BY THE FOLLOWING VOTE:

**Yeah:** 5 - Mayor Pro Tem Wolosin, Council Member Wright, Council Member Scott, Council Member Bunker, and Council Member Macaluso

**E. CONSIDER ORDINANCE NO. 2024-11; AN ORDINANCE AUTHORIZING THE SALE OF REAL PROPERTY AND IMPROVEMENTS LOCATED AT 329 AMMANN RD., BOERNE, KENDALL COUNTY, TEXAS TO KENDALL COUNTY, A TEXAS POLITICAL SUBDIVISION, IN THE AMOUNT OF \$10.00; AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AND SALE AGREEMENT AND SPECIAL WARRANTY DEED; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE. (Right-of-way dedication to Kendall County)**

Mayor Ritchie called on Mike Mann, Utilities Director. Director Mann spoke

regarding related agenda items E and G. In an effort to obtain a site development permit for the city's property on Ammann Road, fee simple titles for Kendall County and Fair Oaks Ranch in the form of warranty deeds are necessary.

A MOTION WAS MADE BY COUNCIL MEMBER SCOTT, SECONDED BY MAYOR PRO TEM WOLOSIN, TO APPROVE ORDINANCE NO. 2024-11; AN ORDINANCE AUTHORIZING THE SALE OF REAL PROPERTY AND IMPROVEMENTS LOCATED AT 329 AMMANN ROAD, BOERNE, KENDALL COUNTY, TEXAS TO KENDALL COUNTY, A TEXAS POLITICAL SUBDIVISION, IN THE AMOUNT OF \$10.00; AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AND SALE AGREEMENT AND SPECIAL WARRANTY DEED; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE. (RIGHT-OF-WAY DEDICATION TO KENDALL COUNTY). THE MOTION CARRIED BY THE FOLLOWING VOTE:

**Yeah:** 5 - Mayor Pro Tem Wolosin, Council Member Wright, Council Member Scott, Council Member Bunker, and Council Member Macaluso

**F. CONSIDER A ONE-TIME READING OF ORDINANCE NO. 2024-12; AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER SECTION 3.11.A. (As described below)**

A MOTION WAS MADE BY MAYOR PRO TEM WOLOSIN, SECONDED BY COUNCIL MEMBER SCOTT, TO APPROVE A ONE-TIME READING OF ORDINANCE NO. 2024-12; AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER SECTION 3.11.A. (AS DESCRIBED BELOW). THE MOTION CARRIED BY THE FOLLOWING VOTE:

**Yeah:** 5 - Mayor Pro Tem Wolosin, Council Member Wright, Council Member Scott, Council Member Bunker, and Council Member Macaluso

**G. CONSIDER ORDINANCE NO. 2024-12; AN ORDINANCE AUTHORIZING THE SALE OF REAL PROPERTY AND IMPROVEMENTS LOCATED AT 329 AMMANN RD., BOERNE, KENDALL COUNTY, TEXAS TO THE CITY OF FAIR OAKS RANCH, A**

**TEXAS POLITICAL SUBDIVISION, IN THE AMOUNT OF \$10.00; AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AND SALE AGREEMENT AND SPECIAL WARRANTY DEED; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE. (Right-of-way dedication to the City of Fair Oaks Ranch)**

Director Mann continued with the property right of way dedication to Fair Oaks Ranch as mentioned in the previous agenda item.

A MOTION WAS MADE BY MAYOR PRO TEM WOLOSIN, SECONDED BY COUNCIL MEMBER SCOTT, TO APPROVE ORDINANCE NO. 2024-12; AN ORDINANCE AUTHORIZING THE SALE OF REAL PROPERTY AND IMPROVEMENTS LOCATED AT 329 AMMANN ROAD, BOERNE, KENDALL COUNTY, TEXAS TO THE CITY OF FAIR OAKS RANCH, A TEXAS POLITICAL SUBDIVISION, IN THE AMOUNT OF \$10.00; AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AND SALE AGREEMENT AND SPECIAL WARRANTY DEED; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE. (RIGHT-OF-WAY DEDICATION TO THE CITY OF FAIR OAKS RANCH). THE MOTION CARRIED BY THE FOLLOWING VOTE:

**Yeah:** 5 - Mayor Pro Tem Wolosin, Council Member Wright, Council Member Scott, Council Member Bunker, and Council Member Macaluso

## **6. RESOLUTIONS:**

**A. CONSIDER RESOLUTION NO. 2024-R51; A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A TEMPORARY LABOR SERVICES AGREEMENT WITH MGR ACCOUNTING RECRUITERS FOR AN AMOUNT NOT TO EXCEED \$67,793.00.**

Mayor Ritchie called on Sarah Buckelew, Finance Director. Director Buckelew referenced the April 2024 temporary labor services agreement with MGR Accounting Recruiters. Staff would like to continue the services provided by MGR through the budget cycle. Director Buckelew noted that the amount should not exceed \$85,800 not \$67,793.00 as initially stated.

A MOTION WAS MADE BY COUNCIL MEMBER WRIGHT, SECONDED BY MAYOR PRO TEM WOLOSIN, TO APPROVE RESOLUTION NO. 2024-R51; A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A TEMPORARY LABOR SERVICES AGREEMENT WITH MGR ACCOUNTING RECRUITERS FOR AN AMOUNT NOT TO EXCEED \$85,800. THE MOTION CARRIED BY THE FOLLOWING VOTE:

**Yeah:** 5 - Mayor Pro Tem Wolosin, Council Member Wright, Council Member Scott, Council Member Bunker, and Council Member Macaluso

**B. CONSIDER RESOLUTION NO. 2024-R52; A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPROVE THE KENDALL APPRAISAL DISTRICT'S PROPOSED FISCAL YEAR 2025 APPRAISAL AND COLLECTIONS BUDGET.**

Director Buckelew continued with the Kendall Appraisal District's proposed FY2025 Appraisal and Collections Budget which was discussed as part of Agenda Item 5.A.

A MOTION WAS MADE BY COUNCIL MEMBER MACALUSO, SECONDED BY MAYOR PRO TEM WOLOSIN, TO APPROVE RESOLUTION NO. 2024-R52; A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPROVE THE KENDALL APPRAISAL DISTRICT'S PROPOSED FISCAL YEAR 2025 APPRAISAL AND COLLECTIONS BUDGET. THE MOTION CARRIED BY THE FOLLOWING VOTE:

**Yeah:** 5 - Mayor Pro Tem Wolosin, Council Member Wright, Council Member Scott, Council Member Bunker, and Council Member Macaluso

**C. RECEIVE PROPOSALS FOR FULLY INSURED MEDICAL, DENTAL, AND VISION INSURANCE BENEFITS AND ANCILLARY PRODUCTS AND CONSIDER RESOLUTION NO. 2024-R53; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, AWARDED THE CONTRACT FOR CITY EMPLOYEE MEDICAL, DENTAL, AND VISION INSURANCE BENEFITS, AND ANCILLARY PRODUCTS TO \_\_\_\_\_; AND AUTHORIZING THE CITY MANAGER TO MANAGE AND EXECUTE THE RELATED CONTRACT AND DOCUMENTS FOR PLAN YEAR OCTOBER 1, 2024, TO SEPTEMBER 29, 2025.**

Mayor Ritchie called on Susan Finch, Human Resources Director to discuss employee benefits. Staff initiated a Request for Proposals (RFP's) for medical, dental, vision, and ancillary products to ensure optimal coverage for our employees. Having the opportunity to bundle all the products under Blue Cross and Blue Shield, will result in a projected 2% decrease as compared to current expenses. Director Finch noted that the correct effective date should be through September 30, 2024.

A MOTION WAS MADE BY COUNCIL MEMBER BUNKER, SECONDED BY COUNCIL MEMBER WRIGHT, TO RECEIVE PROPOSALS FOR FULLY INSURED MEDICAL, DENTAL, AND VISION INSURANCE BENEFITS AND ANCILLARY PRODUCTS AND APPROVE RESOLUTION NO. 2024-R53; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, AWARDED THE CONTRACT FOR CITY EMPLOYEE MEDICAL, DENTAL, AND VISION INSURANCE BENEFITS, AND ANCILLARY PRODUCTS TO BLUE CROSS AND BLUE SHIELD OF TEXAS; AND AUTHORIZING THE CITY MANAGER TO MANAGE AND EXECUTE THE RELATED CONTRACT AND DOCUMENTS FOR PLAN YEAR OCTOBER 1, 2024, TO SEPTEMBER 30, 2025. THE MOTION CARRIED BY THE FOLLOWING VOTE:

**Yeah:** 5 - Mayor Pro Tem Wolosin, Council Member Wright, Council Member Scott, Council Member Bunker, and Council Member Macaluso

## **7. CITY MANAGER'S REPORT:**

Mayor Ritchie called on City Manager Ben Thatcher.

### **A. RECOGNITION OF THE BOERNE POLICE DEPARTMENT FOR RECEIVING RE-ACCREDITATION AS AN ACCREDITED LAW ENFORCEMENT AGENCY BY THE TEXAS POLICE CHIEFS ASSOCIATION.**

City Manager Thatcher asked Assistant Police Chief Lackey to speak regarding the Texas Law Enforcement Accreditation Program. Chief Lackey stated that the first accreditation was achieved in 2012 which was for a four year period. The Boerne Police Department has achieved three successful re-accreditations.



**B. RECOGNITION OF THE FINANCE DEPARTMENT FOR RECEIVING THE GOVERNMENT FINANCE OFFICER'S ASSOCIATION DISTINGUISHED BUDGET PRESENTATION AWARD FOR FY 23-24.**

City Manager Thatcher asked Director Buckelew to speak regarding the Government Finance Officer's Association Budget Award. Director Buckelew stated that the city was acknowledged for fiscal excellence for Distinguished Budget Presentation for FY 2023-24. This is first year the city has received the award.

City Manager Thatcher recognized the success of the annual fireworks show.

**8. COMMENTS FROM COUNCIL – No discussion or action may take place.**

Mayor Pro Tem Wolosin spoke regarding the 4th of July Fireworks Show. He stated that these types of events are what gives Boerne the small town feel. He expressed appreciation to those who helped make it a success.

**9. EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE:**

Mayor Ritchie convened the City Council into Executive Session at 7:42 p.m.

**A. SECTION 551.071 - CONSULTATION WITH CITY ATTORNEY AND SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS REGARDING THE FIFTH AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF BOERNE, BOERNEBAK, LLC, AND BOERNEBAK II, LLC AND PULTE HOMES OF TEXAS LP.**

No action was taken.

**B. SECTION 551.071 - CONSULTATION WITH CITY ATTORNEY TO DISCUSS SB-2038, PROCESS FOR PETITIONS FOR RELEASE FROM THE CITY’S EXTRATERRITORIAL JURISDICTION**

No action was taken.

**10. RECONVENE INTO OPEN SESSION AND TAKE ANY NECESSARY ACTION RELATING TO THE EXECUTIVE SESSION AS DESCRIBED ABOVE.**

Mayor Ritchie reconvened the City Council into Open Session at 8:15 p.m.

**A. CONSIDER RESOLUTION NO. 2024-R54; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A FIFTH AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF BOERNE, BOERNEBAK, LLC, BOERNEBAK II, LLC , AND PULTE HOMES OF TEXAS, L.P.**

A MOTION WAS MADE BY COUNCIL MEMBER MACALUSO, SECONDED BY MAYOR PRO TEM WOLOSIN TO APPROVE RESOLUTION NO. 2024-R54; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A FIFTH AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF BOERNE, BOERNEBAK, LLC, BOERNEBAK II, LLC , AND PULTE HOMES OF TEXAS, L.P. THE MOTION CARRIED BY THE FOLLOWING VOTE:

**Yeah:** 5 - Mayor Pro Tem Wolosin, Council Member Wright, Council Member Scott, Council Member Bunker, and Council Member Macaluso

**11. ADJOURNMENT**

Mayor Ritchie adjourned the City Council Meeting at 8:16 p.m.

Approved:

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Secretary